GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:3322
ANSWERED ON:05.08.2016
Pictorial Warnings
Gautam Shri Satish Kumar;Panda Shri Baijayant "Jay"

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Government has made it compulsory to display pictorial warnings on tobacco products in the country and if so, the details thereof along with the guidelines issued by the Government in this regard;

(b) whether the Government has received representation from the tobacco industry to withdraw the implementation of display of the pictorial warning on tobacco products; and

(c) if so, the details thereof along with the action taken by the Government thereon?

Answer

ANSWER
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(SMT. ANUPRIYA PATEL)
(a): Section 7 of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA, 2003) lays down that no person shall, directly or indirectly, produce, supply or distribute cigarettes or any other tobacco products unless every package of cigarettes or any other tobacco products produced, supplied or distributed by him bears thereon, or on its label such specified warning including a pictorial warning as may be prescribed under Section 7 and 8 of COTPA. The first set of the pictorial warnings came into effect from 31st May, 2009.
Ministry has now notified the Cigarettes and Other Tobacco Products (Packaging and Labelling) Amendment Rules, 2014, dated 15th October, 2014 which, read with notification dated 24th September, 2015, mandates specified pictorial health warnings covering 85% of the principal display area of the packages of tobacco products, with effect from 1st April, 2016, with a view to protect public health as enjoined under Article 47 of the Constitution of India.
(b) & (c): Yes. However, the Ministry decided to implement the new rules in the interest of public health as also in compliance with the Orders of the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 549 of 2008 Health for Millions versus Union of India & Ors. and the Hon'ble High Court of Rajasthan, Jaipur Bench in Writ Petition (D.B. Civil) (PIL) No. 8680/2015 Rahul Joshi Versus Union of India and State of Rajasthan.
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